

9. **2007SP-007G-06**
Cedar Place Townhomes
Map 114-00, Parcel 099
Subarea 6 (2003)
Council District 22 - Eric Crafton

A request to change from R20 to SP zoning property located at Sawyer Brown Road (unnumbered), opposite Williamsburg Court (7.8 acres), to permit the development of 32 townhomes, requested by Dale & Associates, applicant, for Signature Partnership LLC, owner.

STAFF RECOMMENDATION: Disapprove 32 units, but approve 31 units with conditions

APPLICANT REQUEST - Amend SP

A request to rezone approximately 7.8 acres from One and Two-Family Residential (R20) to Specific Plan (SP), to permit the development of 32 townhomes.

Existing Zoning

R20 District - R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

Proposed Zoning

SP District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

BELLEVUE COMMUNITY PLAN POLICY

Residential Low Medium (RLM) - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy? - No. The proposed SP plan calls for a density of 4.1 units per acre and is not consistent with the area’s Residential Low Medium policy, which calls for a density between 2 and 4 units per acre. If a unit is removed then the plan will be consistent with the policy (3.9 units per acre).

PLAN DETAILS

History - This property was previously approved for RM6 and a 30 unit Planned Unit Development by the Planning Commission on July 13, 2006; however, both ordinances (BL2006-1155 and BL2006-1156) were deferred indefinitely.

Site Plan - The plan proposes 32 townhomes on approximately 7.8 acres with an overall density of 4.1 units per acre. Units along Sawyer Brown Road (13-25) will front on Sawyer Brown. The interior units (1-12 and 26-32) will front on private internal drives.

Access- Units will be accessed from two individual private drives off of Sawyer Brown Road. Units 1-12

will be accessed from a private drive close to the western property line, and units 13-32 will be accessed from a private drive that will bisect with Cedar Forest Drive.

Sidewalks - Sidewalks are shown along Sawyer Brown Road as well as within the development. As proposed, the sidewalk layout is adequate and should provide for safe pedestrian movement within the development.

Elevations - Elevations for units along Sawyer Brown Road have been provided.

Environmental - The property is bisected by a small unnamed stream. The previous PUD plan called for one access point with the units along the western side of the stream being accessed by an internal street that would require a stream crossing. This plan does not require any stream crossing so the stream and its buffer will be left undisturbed except for a sewer line crossing.

There is approximately 2.86 acres of land that is within the 100 year flood plain of which 2.07 acres (~72%) will be left undisturbed. As proposed some units will be within the 100 year flood plain and will require a flood study to be completed prior to the final development plan being approved.

Staff Concerns - The proposed number of units (32) is not consistent with the area's Residential Low Medium policy, which calls for 2-4 units per acre. Since the proposed number of units is not consistent with the area's policy, then one unit should be removed from the plan for a total of 31 units, which is consistent with the policy (3.9 units per acre).

Staff Recommendation - Staff recommends that the request for 32 units be disapproved, but that 31 units be approved with conditions since it is consistent with the area's policy. There should be no other changes to the site plan other than removing one unit.

PUBLIC WORKS RECOMMENDATION

1. Approval of an SP district does not relieve an applicant of the regulations of the Department of Public Works.
2. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
3. In compliance with adopted major street plan, dedicate 30 feet of ROW from centerline along the frontage of the collector Sawyer Brown Road.
4. Adequate site distance shall be provided at the project drives for the posted speed limit per AASHTO standards.

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	7.88	2.178	17	163	13	18

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	7.88		34	257	22	25

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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STORMWATER RECOMMENDATION

1. Add Buffer Note: (The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)
2. Add Preliminary Note: (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)
3. Add Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
4. Add C/D Note: (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
5. Label all water quality devices and explain the water quality system for lots 15-34.
6. Remove the following note from the plans "Drain Bufferyard as agreed upon with Metro Water Services".
7. Add the following note to the cover sheet: (All Construction Plans submitted after February 1, 2007 will be required to meet the revised 2006 Stormwater Management Regulations. Of those submitted plans, they must be deemed sufficient by March 1, 2007 and have passed technical review by May 1, 2007. All Construction Plans that don't meet this criteria will be subjected to the 2006 Stormwater Management Regulations.)

METRO SCHOOL BOARD REPORT

Projected student generation* 2 Elementary 1 Middle 1 High

Schools Over/Under Capacity - Students would attend Gower Elementary School, Hill Middle School, and Hillwood High School. All three schools are listed as having capacity. This information is based upon data from the school board last updated February 2006.

CONDITIONS (if approved)

1. The total number of units shall be reduced to 31. The only changes made to the site plan shall be the removal of one unit. If approved with this condition, a revised plan addressing this condition must be submitted and approved by Planning Staff within one week of the Planning Commission's action.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
3. The application including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
4. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be

forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.

6. Signage shall be limited to one monument type sign 20 square feet or less, and not exceed 4 feet in height.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds.
10. Per Public Works: In compliance with adopted major street plan, dedicate 30 feet of ROW from centerline along the frontage of the collector Sawyer Brown Road.
11. Per Public Works: Adequate site distance shall be provided at the project drives for the posted speed limit per AASHTO standards.

Disapproved 32 units, but approved 31 units with conditions **(10-0)**, *Consent Agenda*

Resolution No. RS2007-028

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-007G-06 is **APPROVED WITH CONDITIONS 31 UNITS, BUT DISAPPROVED 32 UNITS. (10-0)**

Conditions of Approval:

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The proposed SP district is consistent with the Bellevue Community Plan's Residential Low Medium policy which is intended to accommodate residential developments with a density between 2 and 4 dwelling units per acre."